

REMARKS

Claims 1-8 are all of the pending claims, with claims 1 and 8 being written in independent form. By virtue of this Amendment, Applicants add new independent claim 8.

The Examiner rejects claims 1-7 under 35 USC § 102(b) as being anticipated by US 4,040,715 to Debaigt. Applicants respectfully traverse this rejection in view of the following remarks.

A. Independent Claim 1:

Independent claim 1 recites (among other things) that the holder is “moveable linearly” between an open and a closed state. An example, non-limiting embodiment of this feature will be appreciated with reference to Figs. 6 and 7. In Fig. 6, the holder 1 is in the open state, and in Fig. 7, the holder 1 is in the closed state. The holder 1 moves linearly between the two states. At least the “moveable linearly” feature (as recited in independent claim 1), in combination with the other features recited in independent claim 1, is not taught or suggested by the prior art relied upon by the Examiner.

The Examiner looks to the Debaigt reference to teach each and every feature of the invention defined by claim 1. In so doing, the Examiner compares Debaigt’s spring 9 to the holder defined by claim 1. This rejection position is not convincing for the following reasons.

With reference to Fig. 1 of Debaigt, the spring 9 includes a root portion 11 inserted into a slot 10 of a terminal plate 3, and a distal end that supports a screw 6. In this regard, the spring 9 (and thus the screw 6) is mounted for pivot action between an open state (as shown to the left in Fig. 1) and a closed state (as shown to the right in Fig. 1). The spring 9 does not, however, move linearly, as required by claim 1.

As demonstrated above, claim 1 recites features that are practically and conceptually different than Debaigt. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw the raised anticipation rejection.

B. Independent Claim 8:

Independent claim 8 is somewhat similar to claim 1 to the extent that claim 8 also recites (albeit in a different format) a “moveable linearly” feature. According to claim 8, the holder is mounted on the housing for “linear movement” between an open state and a closed state. Accordingly, claim 8 is believed to be patentable for reasons somewhat analogous to those noted above with respect to claim 1.

CONCLUSION

Applicants earnestly solicit reconsideration and allowance of all of the pending claims.

The Commissioner is authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

By: Ray Hefin
Ray Hefin, Reg. No. 41,060
P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

DJD/HRH:lmg